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PATENT  
Dkt 10331.1/40176.64USC1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lon Richard Buske, Rodney D. Dahlenburg, Joel D. Phillips, William J. Raphael, Thomas H. Sexton, Mark A. Toffle, Brent M. Weichelt, and Jason P. Zimmerman  
Assignee: SEAGATE TECHNOLOGY LLC  
Application No.: 10/756,877 Group No.: 2653  
Filed: January 13, 2004 Examiner: Allen Heinz  
For: SERVO TRACK WRITER WITH ACTUATOR VIBRATION ISOLATION

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION (37 C.F.R. § 1.321(c))

## Identification of Person(s) Making This Disclaimer

I, David K. Lucente, represent that I am a representative authorized to sign on behalf of the assignee. A statement under 37 CFR 3.73(b) is attached.

## IDENTITY OF ASSIGNEE AND TITLE OF DISCLAIMANT

The assignee is

Seagate Technology LLC  
920 Disc Drive  
Scotts Valley, CA 95066

08/18/2005 TL0111 00000015 10756877

01 FC:1814

130.00 OP

Title of disclaimant authorized to sign on behalf of assignee: Patent Attorney

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a)

I hereby certify that on the date shown below, this correspondence is being:

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Date: 8-17-05

Signature

Diana C. Anderson

(type or print name of person certifying)

#323887

Terminal Disclaimer to Obviate a Double Patenting Rejection—page 1 of 3

**EXTENT OF DISCLAIMANT'S INTEREST**

The extent of the interest in this invention that the disclaimant owns is in the whole of this invention.

**RECORDAL OF ASSIGNMENT IN PTO**

The assignment from the inventors to Seagate Technology LLC was recorded on March 1, 2004, Reel 015015, Frame 0715.

**ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

Attached is a statement under 37 C.F.R. § 3.73(b) establishing the right of the assignee to take action in this case.

**DISCLAIMER****(Obviousness-Type Double Patenting Rejection Over A Prior Patent)**

Petitioner hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of Patent No. 6,900,968 issued May 31, 2005 as presently shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above-listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. Sections 154 to 156 and 173 of the patent forming the basis of the double patenting rejection, namely, Patent No. 6,900,968, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. Section 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

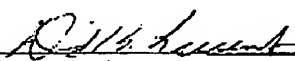
**DISCLAIMER FEE (37 C.F.R. § 1.20(d))**

Other than a small entity--fee \$130.00.

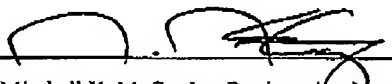
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\_\_\_\_\_  
Signature of disclaimant  
David K. Lucente  
Patent Attorney for Seagate Technology LLC

Date: 3/17/05

  
\_\_\_\_\_  
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Randall K. McCarthy, Registration No. 39,297  
Fellers, Snider, Blankenship, Bailey & Tippens, P.C.  
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Terminal Disclaimer to Obviate a Double Patenting Rejection—page 3 of 3

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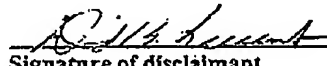
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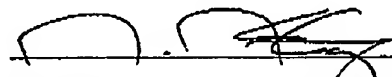
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Patent Attorney for Scagate Technology LLC

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